

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 1804

B8/B8 CIP DIV4



NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

#8  
M.G.J.  
4/28/97

Group Art Unit : 1804  
Examiner : J. Martinell  
Applicant : Walter C. Fiers  
Serial No. : 08/452,658  
Filed : May 25, 1995  
For : DNA SEQUENCES, RECOMBINANT DNA  
MOLECULES AND PROCESSES FOR  
PRODUCING HUMAN FIBROBLAST  
INTERFERON-LIKE POLYPEPTIDES

New York, New York  
April 15, 1997

Hon. Commissioner of Patents  
and Trademarks  
BOX AF  
Washington, D.C. 20231

RECEIVED  
APR 26 1997

NOTICE OF APPEAL

GROUP 1

Sir:

Applicant(s) hereby appeals to the Board of Appeals  
from the decision of the Primary Examiner mailed October 15,  
1996 in which the rejection of claims 31, 33 and 34 was made  
final.

- [X] Applicant(s) respectfully requests an oral hearing  
before the Board of Appeals. The appropriate fee is  
submitted herewith.
- [X] The appropriate fee for a 3-month extension of time to  
respond to the final rejection was timely paid on April  
15, 1997 with applicant's Amendment and Response.

230 EK 06-1075 04/29/97 08452658  
23099 219 150.00CH

An additional \_\_\_\_-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

Address all correspondence to:

James F. Haley, Jr.  
c/o FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020  
Tel.: (212) 596-9000

A check in the amount of [ ] \$150.00 [ ] \$280.00 in payment of the [ ] appeal fee, [ ] appeal and oral hearing fees, is enclosed.

The Commissioner is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

Please charge [ ] \$150.00  \$280.00 to Deposit Account No. 06-1075 in payment of the [ ] appeal fee;  appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

*Barbara Ruskin*

James F. Haley, Jr. (Reg. No. 27,794)

Attorney for Applicant

Barbara A. Ruskin (Reg. No. 39,350)

Agent for Applicant

c/o FISH & NEAVE

1251 Avenue of the Americas

New York, New York 10020-1104

Tel.: (212) 596-9000

I hereby certify that this  
Correspondence is being  
Deposited with the U.S.  
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COMMISSIONER FOR PATENTS  
WASHINGTON D.C. 20231, on  
*April 15, 1997*

*Thomas Quinones*  
Name of Person Signing

*[Signature]*  
Signature of Person Signing